IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Crl.Rev.Pet.No. 652 of 1999()

CRA.224/1996 of SESSIONS COURT, THRISSUR
CC.216/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, THRISSUR

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REVN. PETITIONER:

BALACHANDRAN, S/O. RAVUNNY, AGED 30,
RESIDING AT PUTHURUTHY, THRISSUR
DISTRICT.

BY ADV. SRI.P.GOPAKUMARAN NAIR

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.P. NO. 2908/1999 IN CRL. R.P.NO. 652/1999

DISMISSED

14.03.2007 SD/- K.R. UDAYABHANU, JUDGE.

/True Copy/

P.A to Judge.

K.R. UDAYABHANU, J

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CRL. R.P. NO. 652 OF 1999

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Dated this the 14th day of March 2007

O R D E R

The revision petitioner stands convicted for the offences under Sections 279 and 338 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 15 days each and to pay a fine of Rs.1000/- each.

2. The revision petitioner has only sought for modification of sentence considering the fact that the incident has taken place on 18.01.1995. It is seen that PW1 has sustained injuries and fracture on his right leg. In the circumstances, conviction is confirmed and the sentence imposed for the offence under section 338 of IPC is modified to imprisonment till rising of the court and to pay a compensation of Rs.10,000/- vide 357(3) Cr.P.C to PW1 the injured and in default to undergo simple imprisonment for three months. No separate sentence is awarded for the offence under section 279 of IPC. The revision petitioner shall appear before Judicial First Class Magistrate -I, Thrissur on **24.04.2007** to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV